

## ARTICLE 5

### **MODIFICATIONS OF RULES, REGULATIONS, POLICIES & OFFICIAL ORDERS**

#### **Section 1. Modification of Existing Official Orders.**

Any existing departmental rule, regulation, policy or Official Order not in conformity with the provisions of this Agreement, shall be modified, amended or considered superseded by the terms of this Agreement. Any modifications or amendments to any existing departmental rule, regulation, policy or Official Order made in order to conform said departmental rule, regulation, policy or Official Order to the terms of this Agreement shall be submitted to the Association for comment and suggestions at least ten days prior to the official promulgation or effective date of said amendment or modification.

#### **Section 2. Modification of Code of Conduct and Other Rules, Regulations, Policies or Official Orders.**

The Department shall maintain a Code of Conduct which shall consist of rules for which an employee may be disciplined, according to the provisions of Article 8, Part A of this Agreement. The Code of Conduct and any existing departmental rule, regulation, policy or Official Order directly affecting employees within the bargaining unit, but not modified, amended or superseded by the terms of this Agreement, may be modified, amended or repealed by the Employer; provided, however, that except in the cases of a specific and declared emergency, the Department shall provide the Association with a copy of any proposed amendment, modification or repeal, at least 15 calendar days prior to the official promulgation of said rule or the effective date thereof for the purposes of comment and suggestion. The Association may, within such 15 calendar days, invoke the special conference procedure of this Agreement with reference to said amendments, modifications or repeal and if said special conference is invoked, said proposed amendments, modifications and/or repeals shall not become effective until said special conference procedure is held and concluded. If the Employer promulgates a rule, or an amendment, modification or repeal of an existing rule, regulation, policy or Official Order on the basis of a specific and declared emergency, the Association may, within 15 calendar days, invoke the special conference procedure of this Agreement, in which event a special conference will be held within 15 calendar days after request for same.

#### **Section 3.**

It is the purpose of this provision to provide the opportunity for employee and Association input in order to eliminate misunderstanding, and to promote the orderly operation of the Department and the implementation of the Code of Conduct, Orders, rules, regulations and policies. It is also a purpose to provide a process of consultation over any provision of the Code of Conduct, new rule, regulation, policy or Official Order, and to increase employee awareness of rules, regulations, policies or Official Orders which may affect and govern their conduct. It is not the purpose of this Article to require that the Employer bargain or negotiate over any proposed rule not governed by the terms of this Agreement, but merely to require consultation and conference where requested by the Association.